

THE DESERET EVENING NEWS.

TRUTH AND LIBERTY.

THURSDAY, MARCH 1, 1900, SALT LAKE CITY, UTAH.

NUMBER 87.

FIFTIETH YEAR.

STEVE KEENE TELLS HIS STORY TODAY

How He Carried the Gun Up to Benbrook and Then Told Burton C. Morris to Leave the Restaurant.

His Testimony Strongly in Favor of the Defense—Says Morris Told Him He Would Go in and Drag Benbrook Out and Strangle Him—Wrote Notes to Leda Stromberg for the Defendant—Senator Brown Permitted to Cross-Examine the Witness as He Desires—Defense Objects to the Deposition of Charles Biglow, the Waiter at the Merchants' Cafe—The Proceedings Reach a Very Interesting Stage—Court Room Crowded Throughout the Day.

The proceedings in the Benbrook trial passed quickly into the interesting stage this morning. The testimony of a preliminary nature practically closed with Chief Hilton and Steve Keene, one of the most important witnesses, was called.

Mr. Keene probably comes within the class of those witnesses whose testimony Mr. Putnam stated in his opening the state did not entirely credit. Be that as it may, Mr. Keene's testimony cannot be considered as damaging to the defense. The tendency of it all was unquestionably to strengthen the defense, and Senator Brown's re-direct examination of Mr. Keene was simply a rapid cross-examination.

Senator Brown's method was vigorously objected to by Judge Powers, but the court ruled with the State. Judge Powers settled the question as to whether Leda Stromberg and others would testify by stating that he should insist upon all witnesses being examined and examined, owing to the nature of the case.

The attendance today was sufficient to pack the court room, and much interest was manifested throughout the day. Be it said, Benbrook's manner was the most interesting. He watched every move closely, sometimes leaning forward to catch every word spoken. The defendant's air is one of anxiety, and he shows plainly enough the strain he is under. The lines across his forehead scarcely visible when the trial commenced nearly two weeks ago, are becoming strongly marked. He was reminded today by the relatives who have been with him almost from the first.

Excellent progress was made today, and if nothing unexpected happens, the case will probably reach the jury within ten days.

CHIEF OF POLICE HILTON

Gave Some Testimony Regarding the Tragedy of July 17.

Chief Hilton was the first called by the State this morning. He testified that he had known J. H. Benbrook for a couple of years as the proprietor of a gambling house. Coming directly to the tragedy, the chief identified the revolver taken from Benbrook, and stated that it contained two loaded cartridges and three empty shells. One of the loaded shells was indented, as though it had been snapped and missed fire.

One hat was handed to him on the right of the tragedy, as well as a suit of clothes taken from the defendant. The clothes were sent to the laundry.

STEVE KEENE ON THE STAND.

He Testifies that He Took the Revolver to Benbrook.

Steve Keene was the next witness, and when he took the stand, Senator Brown moved up to the front seat and conducted the examination. After

"Morris said he would strangle that man, didn't he?"

"When I told him not to go into that room or he'd get killed, he said: 'I'll go in there and drag him out, the dirty coward. I'll strangle him to death.'"

"Morris was a large man?"

"Yes, he was a man weighing about 175 pounds."

"Was he physically superior to you?"

"Yes."

"Did you know at that time who was in room 2?"

"Not at that time."

"When you gave Benbrook the gun he was excited and frightened wasn't he?"

"He was excited, yes."

"And scared?"

"He appeared so, yes."

"After you had sent for the officer you heard pistol shots?"

"Yes, three or four, I think four. I am uncertain as to the number."

"Then you ran back up there?"

"Yes."

"Who went ahead of you?"

"O'Gara and Under the direction. There was no one between the officers and myself. There were no boys there then. When I got in the room the only ones there were Benbrook, Albert Morris, Benbrook, the two officers and myself. There were no shots fired after we went up nor were any fired after we went in. Benbrook standing close to where Morris was lying."

"ON REDIRECT."

On redirect, the witness said that his memory was perhaps a little clearer now than it was at the time of the preliminary.

Senator Brown was proceeding to ask some searching questions when Judge Powers objected on the ground that it was cross-examination of their own witness.

Judge Hiles ruled that in a case of this kind under the circumstances the prosecution was entitled to ask searching questions. "What is wanted," concluded the court, "is the truth. The objection is overruled."

"Now go on in your own way," said the court, "and tell the whole story from beginning to end."

The witness detailed taking the pistol up to Benbrook in room 1, the conversation with the defendant, and afterwards with the deceased Leda Stromberg.

The only new matter was with regard to seeing the two girls, Nana Witbeck and Emma Mathieson, when he went up the second time. They wanted to know how they could get out, and witness told them to go out the rear way.

"When you went up first, you knew you were taking the revolver to Benbrook?"

"Yes, I didn't tell Benbrook that he had to get out."

"I did not."

"But you told Morris he had to get out?"

"Yes."

"Why was that?"

"Benbrook told me that Morris had been imposing upon him and interfering with him and that he didn't want any trouble. That was the reason why I told Morris he must go."

"Did he ask you to do anything for him that afternoon?"

"Yes, he asked me to write a couple of notes to Leda Stromberg."

The defense objected to this as not being proper re-direct examination.

Judge Hiles overruled it, and witness continued that it was about 3 o'clock the afternoon when he wrote a note for Benbrook to Miss Stromberg and sent it by a messenger. She was not home and it was returned and destroyed. About 5 p. m. he wrote a second note for the defendant and sent it the same way.

"The note," continued witness, "was a statement to the effect that Benbrook was going to San Francisco the next morning, and would like to see her that evening. A pair of gloves was sent with the note. Some time after the note was sent, I saw Miss Stromberg and Benbrook come down the street together."

"Did you see her afterwards come with Benbrook to the restaurant?"

"No, I did not wait on them."

"Do you say," asked Senator Brown, "that Benbrook appeared scared when you gave him the gun?"

"I do."

"Did you notice him particularly?"

"I didn't make an examination of him, but I couldn't help seeing him."

The answer called for a laugh from the audience and Judge Powers said that at the threshold of the trial, he wanted to interpose an objection to any demonstration whatever on the part of the audience.

"We concur in that," said Senator Brown.

The court warned the spectators that if there was any demonstration of this kind, he would clear the court room, taking care, however, to make it a public trial.

Referring back to the testimony given by this witness at the preliminary, Senator Brown asked if he had not said at the preliminary that he did not notice if Benbrook's face, the witness replied that he stated he did not notice it in the question referred to in the question particularly.

In passing upon another objection to this form of questioning the court announced that he proposed to require the State to put all witnesses on the stand, and that the widest scope in cross examination would be allowed.

"Did you see W. H. Dickson up there?" continued Senator Brown.

"I say I didn't see him. All the persons I saw in going up and on reaching the room I have named."

"Did Morris tell you he had come there to do Benbrook up?"

"Either that or that he would do him up or could do him up, one of these expressions."

"Did you tell Morris you had taken Benbrook a gun?"

"I did not."

"Did you take Morris up a gun too?"

"No."

"Had Benbrook been drinking?"

"I had seen him take but one drink."

"Did he show any appearance of having been drinking—was he calm and quiet?"

"He was very much excited, or appeared so."

"Had he been drinking the night before?"

"I don't remember anything about him the night before."

"When did you see him first on this day?"

"About 1 or 2 o'clock in the afternoon."

"Did you talk with Attorney Rogers last night?"

"Yes, a few minutes."

"When you left the room up there, didn't Leda Stromberg tell you to lock the door?"

"I have no recollection of it."

Judge Powers again took the witness in hand, and read his testimony given at the preliminary with reference to Benbrook's appearance of excitement when witness gave him the gun. Keene answered that that testimony was correct.

"When you saw Mr. Rogers last night, you and he didn't take a drink did you?"

"Yes, we had a glass of beer."

Senator Brown said he wished to examine witness regarding this interview of last night, and it was brought out that the senator simply accepted Keene's offer to show him the rooms at the Merchants' cafe.

(Continued on page two.)

DEMOCRATS IN STATE CONVENTION

Big Attendance of Delegates From All Over Utah.

OFFICERS AND COMMITTEES.

Mr. Evans Introduces a Roberts Resolution, Which Went to the Committee Without Debate.

As early as 10 o'clock this morning delegates to the Democratic State convention began to gather at the Salt Lake Theater, although the call was for 12:30. The novel situation which has brought about a necessity for a special election has prompted greater interest in today's proceedings than has attached as a rule to State conventions heretofore. The interest, however, is not confined to today's proceedings, but there is almost a feverish anxiety as to the outcome of tomorrow's convention, for then the lines of demarcation between the two parties will have been positively defined and the grounds upon which both political organizations come before the people will then have been made known. In addition to regular and well known principles which are usually or always involved in political campaigns it is expected that on both sides there will be some expression as to the recent action of the lower house of the national legislature with reference to Utah's representation there. Utah's vacancy in the senate, it is also surmised, will receive some attention. So that, all in all, the present situation in Utah is burdened with much interest to citizens of all classes and the action of today's convention is a matter of great concern to those whose welfare is inseparable from that of the State.

There was nothing overdone in the decoration of the theater. The simple yet pleasing colors of national bunting tastefully arranged about the stage, tables and balconies formed the bulk of the dress in which the convention hall was clothed, while palms and flowers advantageously placed by Mrs. Wood and other ladies of the Ladies Democratic club set off the stage in neat Democratic simplicity. The ladies also placed on the chairman's table a beautiful bouquet to be presented to the nonusers of the convention, and it is suspected that the bouquet of respect and grace, and a source was largely responsible for much of the spirit and determination that was thrown into today's contest on the convention floor.

Notwithstanding the fact that delegates were on hand after the convention was more than half an hour late in coming to order; but the intervening time was utilized in holding caucuses which it was hoped would facilitate the work of the convention. Today's hand also enlivened the occasion with spirited strains of music, largely composed of patriotic national airs, which, as always, was much appreciated and elicited applause.

The attendance was exceptionally large and appeared to be thoroughly representative of all sections of the State. Nearly all the delegations were complete and there was necessity for recognition of but few proxies.

CONGRESSIONAL CANDIDATES.

During the whole of the day the congressional candidacies of Judge King and Mr. Dunbar were talked of to the extent that other subjects only received secondary consideration. The friends of both men appeared to be confident of success, but still were extremely active in soliciting support. Some there were who said they would cast their votes for either of the gentlemen named while others in minority favored a third horse, and frequently in that connection mentioned the name of Judge Henderson.

TEMPORARY OFFICERS.

At 11:15 State Chairman James H. Moyle called the convention to order and announced the temporary officers of the meeting as follows:

Chairman—Judge W. L. Maginnis, Weber county.

Vice Chairman—State Senator Mattie Hughes Cannon, Salt Lake county.

Secretary—Grant C. Bagley, Utah county.

Assistant Secretary—H. M. Hayes, Sevier county.

Sergeant-at-Arms—D. Lambert, Summit county.

JUDGE MAGINNIS.

Mr. Moyle introduced Judge Maginnis, who made a short address in which he urged the convention to nominate a man who will be able to win, and to make it a matter of individual duty to see that he was elected.

"When, in 1896," said Judge Maginnis, "Utah gave a majority of over 50,000 to that great man, William Jennings Bryan, conditions were the same as they are today, and it is the duty of the people to show to the nation that they were earnest in their expression at that time."

The remarks of Judge Maginnis were well received and were given liberal expressions of appreciation.

Mr. Moyle moved the appointment of three committees, one on platform and resolutions, one on permanent organization and order of business, and one on credentials. He urged that the committees be composed of one member from each county for each committee, and that the county delegations select these committee members. There was considerable debate as to the number of members for the committees on platform and resolutions, but Mr. Moyle's motion finally prevailed and then the roll of counties was called for the naming of these committees as follows:

UPON CREDENTIALS.

Beaver—J. W. McFarland, Boxelder—D. C. Hubbard, Cache—William Edward, Carbon—A. S. Higham, Davis—Henry H. Blood, Emery—William H. Dale, Grand—A. A. Neff, Iron—L. W. Marston, Juab—D. O. Miner, Kane—Undeclared, Morgan—John Hopkins, Pinto—Joseph Nielson, Rich—LeRoy N. French, Salt Lake—E. A. Wilson, San Juan—J. R. Letcher, Sanpete—M. R. Murray, Sevier—Joseph A. Smith.

Summit—J. L. Boyden, Tooele—William Waterfall, Uintah—A. N. Johnson, Utah—James O. Bullock, Wasatch—M. C. Murdock, Washington—E. M. Brown, Wayne—Joseph Eckersley, Weber—Frank R. Christensen.

PERMANENT ORGANIZATION.

Beaver—W. L. H. Dotson, Boxelder—Charles Carson, Cache—H. J. Matthews, Carbon—James McEwan, Davis—E. A. Cottrell, Emery—L. Olson, Garfield—R. B. Shepard, Grand—A. A. Neff, Iron—Robert Lund Jr., Juab—Cand Whodder, Kane—Undeclared, Millard—C. Overton, Morgan—James Stern, Pinto—Clayton Gannett, Rich—Robert McKinnon, Salt Lake—L. W. Sloan, San Juan—J. R. Letcher, Sanpete—Aaron Hardy, Sevier—George T. Bean, Summit—T. L. Allen, Tooele—Undeclared, Uintah—William O'Neil, Utah—J. H. Clark, Wasatch—John A. Wood, Washington—C. McFarland, Wayne—Willis Robinson, Weber—F. J. Kiesel.

RESOLUTIONS.

Beaver—Thomas Maroneux, Boxelder—John D. Peters, Cache—L. C. Thoreson, Carbon—L. O. Hoffman, Davis—David Stoker, Emery—Byrum Bryson, Garfield—S. O. Crosby, Grand—A. W. Corbin, Iron—John Parry, Juab—Charles Abbott, Kane—Undeclared, Millard—James A. Milville, Morgan—Samuel Francis, Pinto—Clayton Gannett, Rich—D. S. Cook, Salt Lake—Thomas Thatcher, San Juan—E. W. Wilson, Sanpete—Peter Graves Sr., Sevier—James H. Wells, Summit—F. J. McLaughlin, Tooele—W. L. Robinson, Uintah—Harline Bennion, Utah—J. D. Miller, Wasatch—William Byes, Washington—E. G. Woolley, Wayne—W. W. Mansfield, Weber—Thomas D. Dee.

ROBERTS' RESOLUTION.

Abel John Evans of Utah county here offered this resolution which was referred to the resolution committee without reading or debate. "We, the democrats of Utah in convention assembled deny that the people of this State have broken any covenant or compact entered into with the nation for the purpose of securing statehood. We deny as false and malicious the charge of wholesale law-breaking made against the people of this State, and we further declare that Congress, in refusing to seat the duly accredited representative of a sovereign State, who possessed all the constitutional qualifications and presented complete prima facie evidence of his right to be sworn in, violated a fundamental principle of representative government."

ADJOURNMENT.

An adjournment was taken until 2 o'clock this afternoon. Judge Maginnis announcing that all the committees would meet in the interim. The prospects were for a lively meeting this afternoon, with the introduction of some interesting propositions.

(Continued on page two.)

TRIED WITH DETECTIVES.

Plan of Ascertaining Methods in Election of Senator Clark.

Washington, March 1.—When the Senate committee on elections resumed sessions today Representative Campbell who was on the stand yesterday, was cross-examined by Mr. Faulkner. He told of the organization of the movement for the investigation of Mr. Clark's election. He said the first meeting was held in Butte last March, those present being Mr. Hartman, Mr. Campbell, of Livingston, Marcus Daly, H. L. Myers, Speaker Stiff, Mr. Tuohy, Mr. Mott, Mr. Wile and Mr. Finland. A committee was then appointed with Mr. Campbell as chairman to gather facts.

"Mr. Daly said at that time that he would furnish any necessary means for the investigation," said the witness, "but that he would expect others to also make contributions."

He said there was no limit placed upon the amount to be expended except that Mr. Daly said:

"We have millions for defense, but not a cent for truth."

Continuing, Mr. Campbell said that no sum had been deposited to his credit, and when he wanted money he went to Mr. Daly for it except on one occasion, when Miles Finland had given him a check of his own for \$1,000, and one for \$500 from Mr. Leggett. Both these checks had, however, been retained. At this point Mr. Faulkner presented letters which Mr. Campbell had written to detectives whom he had employed in the case, first drawing from the witness the fact that detectives had been engaged in Montana, in Washington and in New York. In Montana they were engaged to work up evidence and in Washington and New York to keep an eye on witnesses believed to be unfaithful. Mr. Campbell identified several letters to detectives from himself, but they were not read.

"Were your witnesses in Washington?" he was asked, "instructed to visit dentists, surgeons, doctors, etc., who were connected with senators?"

"No sir, positively no," was the reply.

"If such a course was pursued it was without my knowledge or consent. I never gave any such instructions and I now have no knowledge of such proceedings. If I knew of such a course being pursued I would stop it immediately."

"Did you instruct the detectives to ingratiate themselves into the good graces of Mr. Clark's friends?" was asked.

"I did," was the reply.

"I told them to get employment from them or to get into their good graces anyway they could."

Vote on Financial Bill Tuesday.

Washington, March 1.—A bill was passed at the opening of today's session of the Senate extending the time for the commencement of the construction of a bridge across the Missouri river at Yankton, S. D., by the Dakota Southern railroad to March 2, 1901, and its completion to March 2, 1904.

At the conclusion of routine business it was decided to take a final vote on the conference report on the financial bill next Tuesday at 4 p. m.

Mr. Hoar said he desired to briefly address the Senate on the Quay case but would not interfere with the delivery of the speech announced by Mr. Clay (Cal.) today. Mr. Clay then addressed the Senate on the Philippine question. He was one of the Democratic senators who voted for the ratification of the treaty of peace. In his speech today he supported the Bacon resolution declaring that this country's policy toward the Philippines.

GREAT BRITAIN IS MAD WITH JOY

Rejoicing Unparalleled in the Memory of the Present Generation—Storm of Jubilation Everywhere.

Relief of Ladysmith, Following that of Kimberley, the Cause—Holidays Proclaimed—Cheering Crowds Throng the Thoroughfares—Messages of Congratulation—England's Honor Has Been Saved—No Trade Today—Flags and Whistles, Bells and Crowds, Songs and Shouts—Newspapers Voice the Exultation—No Such Excitement Since Lucknow—Lord Roberts Praised—Gen. Buller Was in Ladysmith Today—Gen. French Said to be at Bloemfontein.

[Afternoon Dispatches.]

London, March 1, 6:55 p. m.—Gen. Buller wires from Nelthorpe under today's date that he has just returned from Ladysmith. He adds that the whole country south of that place is cleared of the Boers.

7:02 p. m.—The following is the text of Gen. Buller's dispatch:

"Nelthorpe, March 1, 5:20 p. m.—I have just returned from Ladysmith. Except a small guard north of Spruce Hill, the whole of the enemy lately besieging the town have retired in hot haste, and to the south of the town the country is quite clear of them."

"The garrison was on half a pound of meal a man per day, and supplementing the meat ration by horses and mules. The men will want a little nursing before being fit for the field."

TUMULT OF JOY.

London, March 1.—When the relief of Ladysmith became generally known London literally went mad with joy. Throughout England the scenes witnessed have no parallel in the memories of this generation. The pent-up jubilation at the relief of Kimberley and the defeat of Cronje could no longer be controlled and with today's crowning triumph the national trait of self-restraint was thrown to the winds. The lord mayor of London immediately telegraphed his congratulations to Generals Buller and Roberts. When the queen received the news at Windsor the bells on the curfew tower of the castle were rung in honor of the event.

The storm of jubilation centered around the Mansion House and by noon thousands of people blocked the many approaches to that grim building. It was a dense, black mass, composed chiefly of business men, the majority carrying little "union jacks."

JAM WAS GREAT.

Never before was there such a sale of flags as today. Through this cheering throng there was only one avenue open to traffic and this was utilized by the "buses" going from east to west. All traffic in other directions was stalled for hours. The only way to get past the Mansion House was by mounting the "buses" which soon began to resemble charltons in a triumphal pageant. Stock brokers, bankers, clerks and workmen clambered on top and as the "buses" lumbered past the historic building, stood up waving flags, hats and handkerchiefs and calling for cheers for Buller and Roberts.

A mighty shout answered them from the crowds through which they were passing. The procession became continuous yet the crowd never tired of cheering every time the name of White, Buller or Roberts was mentioned, and off came hats and up went the little flags.

ENGLAND'S HONOR SAVED.

Grave old financiers waved and yelled as frantically and as often as theurchins who had clambered the Mansion House steps, that England's honor had been saved.

The strain that for 113 days had kept the nation in terrible anxiety, was removed.

The lord mayor showed himself at a window, out of which hung a huge city imperial volunteer flag, and the crowd yelled itself hoarse. Staid magistrates grabbed flaring posters from newboys and brandished "Ladysmith relieved" to the roaring throng. All thought of business was forgotten. Nothing could be done on the stock exchange except sing "God Save the Queen" and cheer. Business at the Baltic (where market for cargoes) closed at 1 o'clock. No one wanted to trade on such a day as this. The

stores shut up their shutters and gave their employees a holiday.

Great ensigns floated in the sunlight from hundreds of buildings and little union jacks lit up the murky city windows.

HOLIDAY ALL AROUND.

The lord mayor wired Lady Buller as follows:

"My sincere congratulations on your gallant husband's achievement."

He also ordered a holiday for the city schools. Later he answered the demands of the crowd that increased as the day wore on by a speech in which he said:

"This news makes our hearts leap for joy. We now are satisfied that our sacrifice of blood and treasure is not in vain."

Orders were given to ring the great bell in St. Paul's this evening.

The West End is as enthusiastic, though not quite so demonstrative as the city. The stately foreign office so far forgot itself as to display large union jacks from the windows. A cabinet meeting was held and as the members met at the entrance to the foreign office, they exchanged the warmest congratulations. Crowds blocked the war office lobbies, struggling to see for themselves the announcement of the glad tidings and cheering for Gen. Buller, Lord Dundonald and other heroes of the hour.

Outside Marlborough house, the London residence of the Prince of Wales, a large and jubilant crowd assembled.

IN PROVINCIAL TOWNS.

All over the United Kingdom these scenes were duplicated.

At Glasgow, Liverpool, Birmingham, Edinburgh and in fact in all the cities, big and little, flags flew everywhere, whistles tooted, bells chimed and crowds paraded the streets, singing patriotic songs.

Buses were given up for the day. The schools were closed, in the harbors all the vessels dressed ship and at the military and naval depots were scenes of the wildest enthusiasm.

At Liverpool, addressing a crowd of 20,000 people assembled around the town hall, the lord mayor said:

"I thank the Almighty God for the glorious news. We have awaited it patiently. We are satisfied that under the humane laws and government of this country the Boers in a very short time will be loyal citizens of the British empire."

At Portsmouth the naval commander-in-chief announced the relief of Ladysmith by a general signal, the great dock yards and war vessels greeting it with cheers.

The queen has telegraphed her congratulations to Gen. Buller and to Gen. White, and the Prince of Wales has telegraphed his congratulations to Gen. Buller.

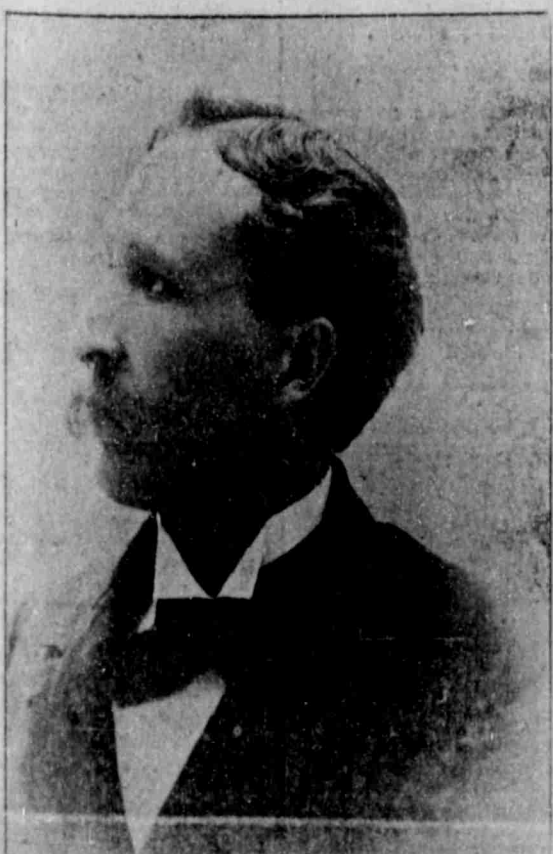
LADY WHITE'S MESSAGE.

Lady White, in reply to congratulatory messages says: "All the world is in sympathy with me today and I am in sympathy with all the world. I am delighted at the joyful news of the relief, and am happy at the intelligence that my husband is well and safe at last. As a wife I can say no more. What happy wife could say more?"

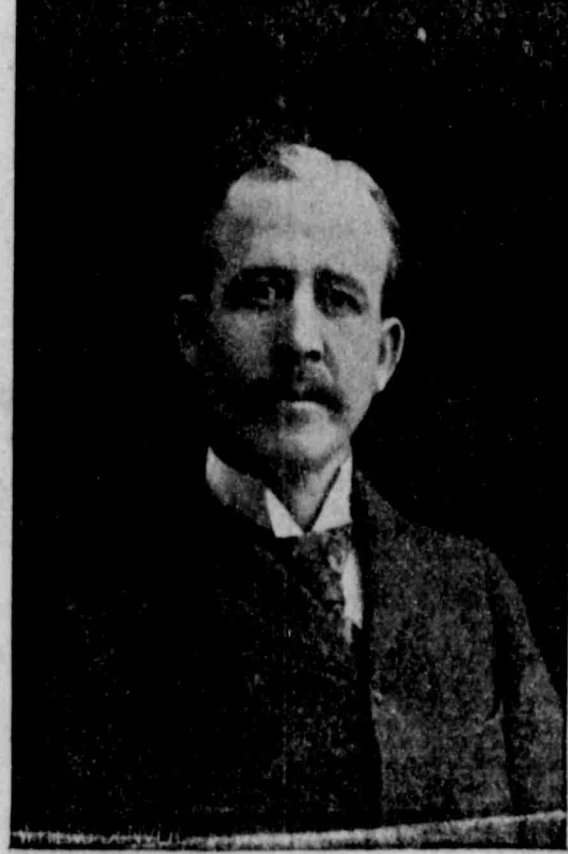
The afternoon newspapers voice the exultation of the nation.

The Globe says:

"The night is passed; since Havelock and Outram fought their way inch by inch through the crooked streets and alleys of Lucknow, no such thrill of excitement has gone through the nation. The empire has suffered and sorrowed much during the last few months, but the tidings of Tuesday and today have made it all seem like a gloomy nightmare, the shadow of a night that is passed. The credit for our success rests with Lord Roberts as fully as if he himself had ridden into Ladysmith. The



HON. WILLIAM H. KING.



HON. DAVID C. DUNBAR.